

SB236: FREDERICK COUNTY EXEMPTION REQUEST ANALYSIS

Presentation to the Sustainable
Growth Commission

May 13, 2013



TIER 4 EXEMPTION

- The intent of the Tier 4 exemption is to relieve jurisdictions of SB 236's restrictions on major subdivisions in Tier IV if their established zoning and subdivision rules already adequately limit residential subdivision, thereby obviating the need for the additional restrictions.

DATA PROVIDED BY COUNTY

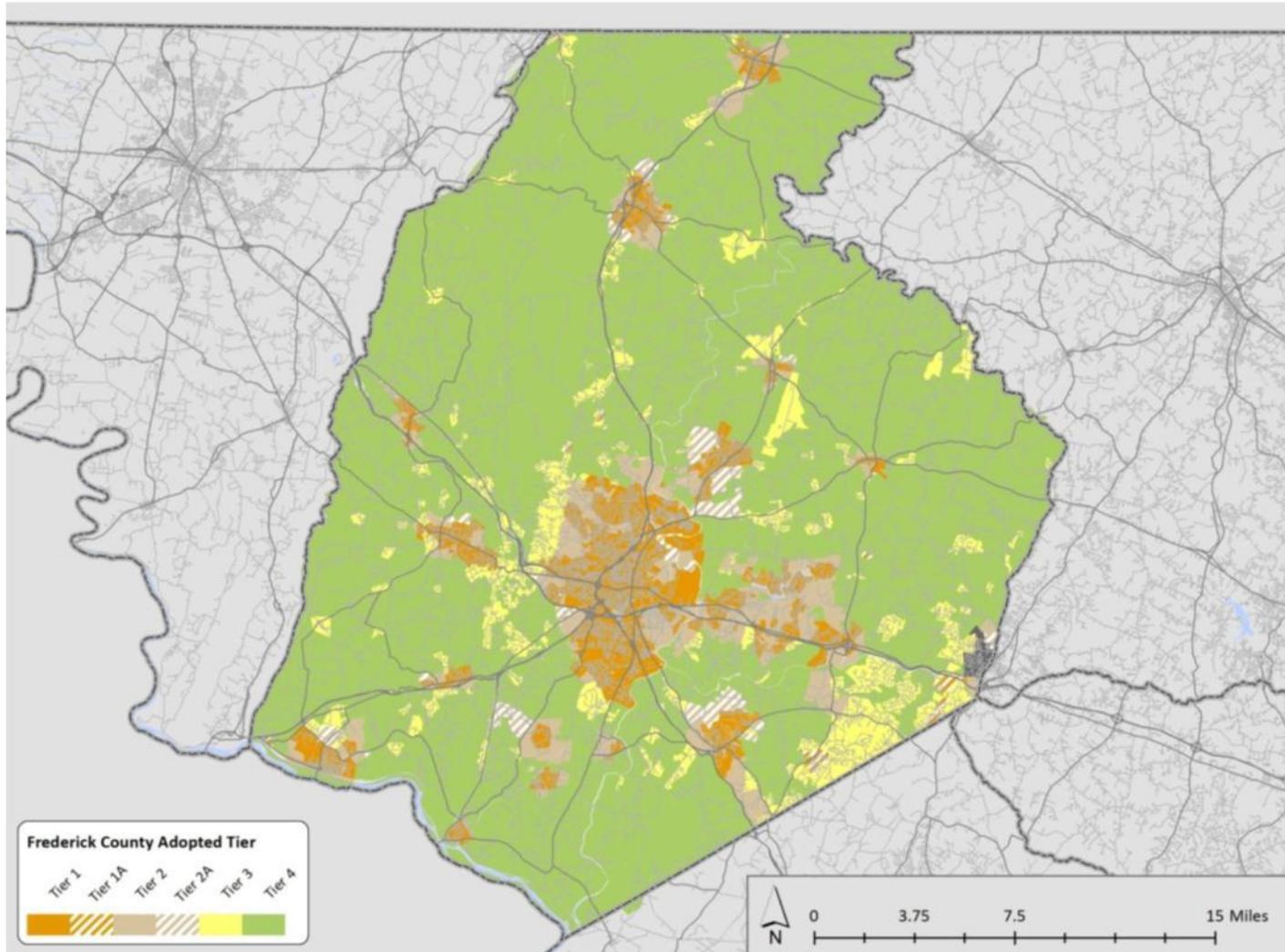
- Growth Tiers GIS Database
- Parcels subject to restrictions (Protected Lands)
- Subdivision Activity Database
- Zoning GIS Database
- Zoning Ordinance



CONFORMANCE OF TIER IV WITH STATUTORY GUIDELINES

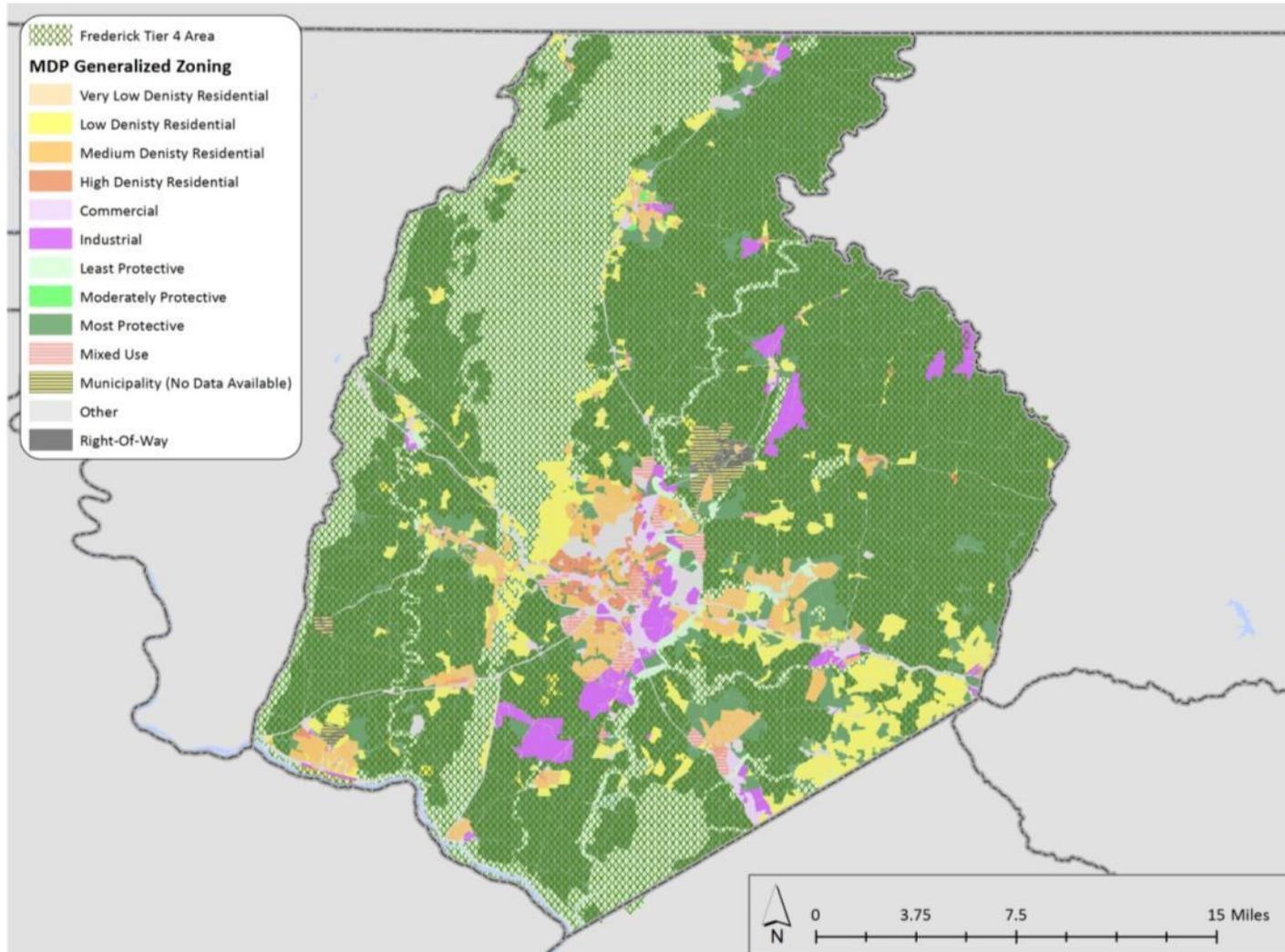


FREDERICK COUNTY TIER MAP

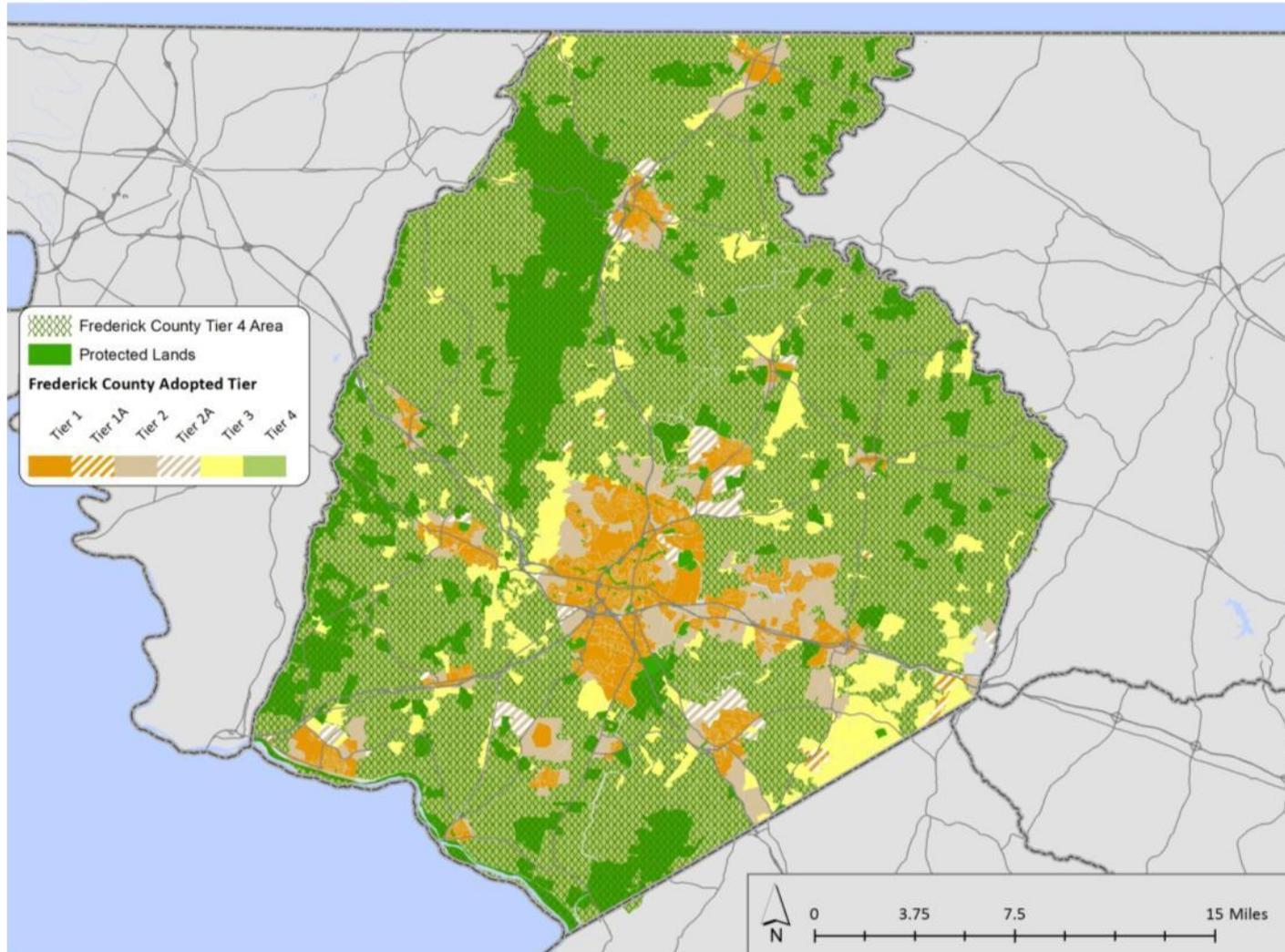


Sustainable — Attainable

FREDERICK COUNTY TIER 4 AREAS



FREDERICK COUNTY PROTECTED LANDS



ZONING DISTRICTS IN FREDERICK COUNTY TIER IV

Zoning District	Permitted Density	Percentage of Total Tier 4 Land Area
Agricultural Zoning District	3 du by right plus 1:50*	70%
Resource Conservation District (RCD)	1 lot per 10 acres	30%
Other Zoning Districts	Varies (1 lot per 2 acres for septic)	Less than 1%

*To subdivide, must be an original tract as described in land records as of August 18, 1976



PERFORMANCE OF ZONING/ LAND USE TOOLS IN TIER IV



AGRICULTURAL ZONING DISTRICT

Ag Parcel Size	Cluster Rights	Conventional Rights	Total
0 to 25 Acres	0	3	3
25.1 to 75 Acres	1	3	4
75.1 to 125 Acres	2	3	5
125.1 to 175 Acres	3	3	6
175.1 to 225 Acres	4	3	7

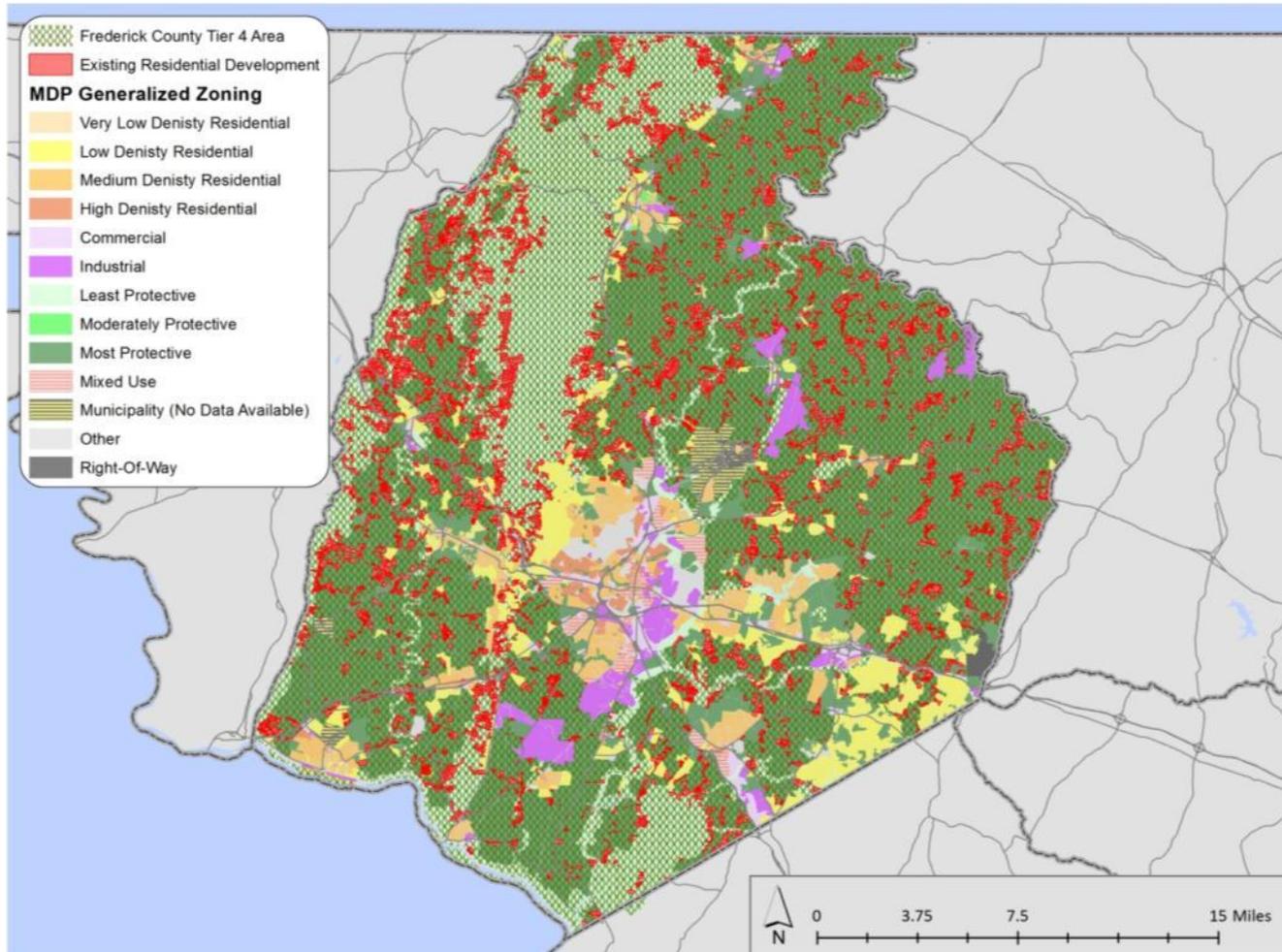


REVIEW OF SUBDIVISION IN AGRICULTURAL ZONE - TIER IV

Year	Number of Lots Recorded in Ag Zone	Acres of Lots Recorded in Ag Zone	Ag Remainder Acres	Density Yield with Ag Remainder
2007	204	2,203	2,568	23.4
2008	109	809	1,083	17.4
2009	105	789	1,289	19.8
2010	37	414	182	16.1
2011	44	338	1,174	34.4
2012	29	299	808	38.1
2007-2012 Total	528	4,852	7,104	22.6



EXISTING RESIDENTIAL DEVELOPMENT IN TIER 4 - FREDERICK COUNTY



EXISTING RESIDENTIAL DEVELOPMENT

Tier 4 Zoning District	Percent of Tier 4 Land in Zoning District	Percent of Existing Residential Parcels
Agricultural	70%	73%
Resource Conservation	30%	21%
Other Districts	Less than 1%	6%



POTENTIAL FUTURE DEVELOPMENT IN TIER IV



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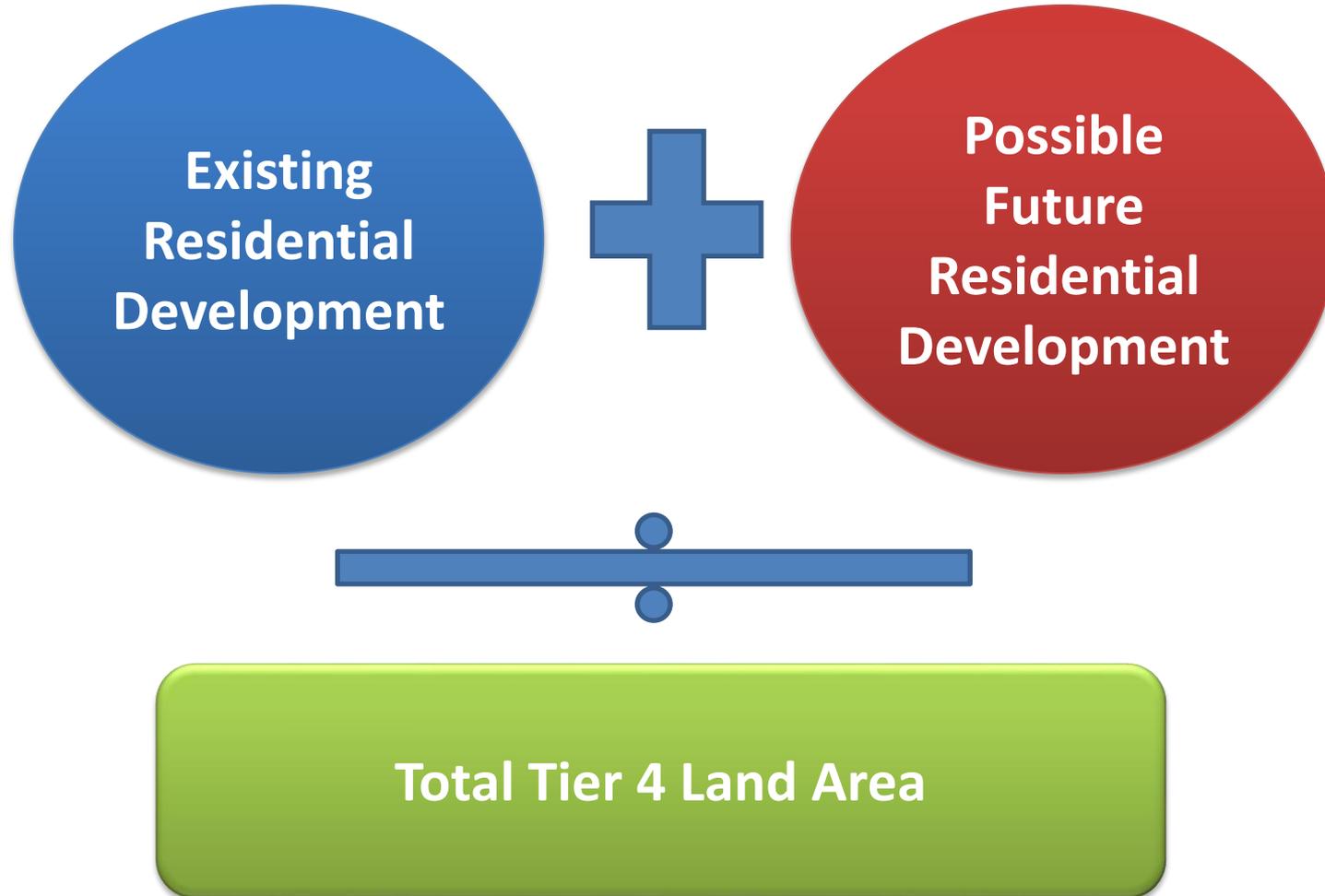
POTENTIAL RESIDENTIAL SUBDIVISION IN TIER 4 - FREDERICK COUNTY

Tier 4 Zoning District	% Tier 4 Land in Zoning District	Percent of Potential Residential Subdivision	Number of Potential Future Lots
Agricultural (3 du by right plus 1:50)*	70%	74%	4,559
Resource Conservation (1 lot per 10 Acres)	30%	25%	1,552
Other Districts	Less than 1%	1%	70

*To subdivide, must be an original tract as described in land records as of August 18, 1976



EXEMPT CALCULATION METHODOLOGY



EXEMPTION CALCULATION - FREDERICK COUNTY

Existing Residential Development	9,635 Lots
Potential Future Residential Development <i>under current local zoning/subdivision regulations</i>	6,181 Lots
Total Residential Development at Buildout <i>under current local zoning/subdivision regulations</i>	15,816 Lots
Total Tier 4 Land Area	321,181 Acres
Estimated Overall Density at Buildout <i>total lots / total Tier 4 land area</i>	1 : 20.3 Acres

